

"LEGALISM"
[Fa-chia: better, "Authoritarianism"]

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SHANG YANG ("Lord Shang"; d. 338 BCE)

Official in the state of Ch'in
Emphasized a strong military and strict laws
Primary theses:

1. the law (*fa*) should be concerned only with obedience to authority, not with moral issues like right/wrong or justice/injustice;
2. there are only two legitimate activities for the people:
 - a. economic production (esp. agriculture)
 - b. service to the state (esp. army service)

SHEN PU-HAI (d. 337 BCE)

Official in the state of Han
Emphasized effective statecraft; worked out new organizational methods and procedures for the internal operations of the state
Employed some terms (*tao*, *wu-wei*) more familiar to most people from "Taoist" texts like the *Tao te ching*. Shen used the term *tao* as a general term for "methods" of procedure, and *wu-wei* as an exhortation that the ruler should keep his hands off the workings of the government.

HAN FEI ("Han-fei-tzu"; d. 233 BCE)

Scion of the ruling family of the state of Han
Studied under the Confucian Hsün-tzu, but rejected the humanism and moral emphasis of the Confucians. Han Fei believed that Hsün-tzu had been too idealistic; people will actually not respond to persuasion or to education: they must be coerced into proper behavior.
Integrated and re-articulated the views of earlier thinkers like Lord Shang and Shen Pu-hai: the goal was to preserve the power of the ruler through strict enforcement of the law.
Adapted Taoist cosmology for political purposes: the ruler should be thought of as a transcendent being, far above all human concerns. Such teachings may really

have been a ruse to persuade the ruler to ignore the actual business of government, so that the officials could run the country without his interference. Like all other facets of humanistic culture, religion is a sham, and is best eradicated.

Ch'in Shih Huang-ti ("The First Emperor"; 259-210 BCE)

used Legalism to eradicate the competitors to his state of Ch'in, thus unifying the land (221 BCE) and establishing the imperial system of government. His regime suppressed Confucianism and other schools of thought as subversive: the Burning of the Books (213 BCE).